IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9681 of 1993

For Approval and Signature:

HON'BLE MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HIMATSINH P. CHAUHAN

Versus

K.H. KOLI

Appearance:

1. Special Civil Application No. 9681 of 1993

MR PM BHATT for Petitioner No. 1

MR MA KHARADI for Respondent No. 1

MS MANISHA LAVKUMAR AGP for Respondent No. 2-4

CORAM : HON'BLE MR.JUSTICE D.H.WAGHELA

Date of decision: 22/04/2004

ORAL JUDGEMENT

There was a limited consensus among the learned

counsel appearing on both sides that the interim order staying implementation of the impugned orders at Annexures-C and E, whereby the name of the respondent was required to be entered into the revenue records, should be confirmed till and subject to the decision of the Civil Court in Regular Suit No.102 of 1989 instituted by the respondent No.1 in the Court of learned Civil Judge (J.D.), Devgadh Baria. Accordingly, the order of interim relief dated 22.9.1993 is made absolute, the petition stands allowed to that extent and Rule is made absolute accordingly with no order as to costs.

Sd/-

(D.H.Waghela,J.)

(KMG Thilake)